

MINUTES OF THE WORK SESSION MEETING OF  
THE SPRINGFIELD CITY COUNCIL HELD  
MONDAY, FEBRUARY 28, 2005.

The City of Springfield council met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, February 28, 2005 at 5:35 p.m., with Councilor Fitch presiding.

ATTENDANCE

Present were Councilors Fitch, Ralston, Lundberg, and Pishioneri. Also present were City Manager Mike Kelly, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Mayor Leiken and Councilors Ballew and Woodrow were absent (excused).

Councilor Fitch noted that Mayor Leiken and Councilor Woodrow were in Washington DC for the United Front trip and Councilor Ballew was on vacation.

1. Assessment of Special Benefit for Vacation of Right-of-Way.

City Attorney Joe Leahy presented the staff report on this item. Council will be asked to consider whether, as part of its vacation procedure, the city should implement an assessment of special benefits as a mechanism to require an abutting property owner to pay for the special benefit, if any, that results from the vacation to the benefited property abutting the property which is owned by the property owner. This is the practice of a number of cities around the state including Salem, Eugene and Florence.

Presently, the City of Springfield simply charges a fee for the cost of the processing of the vacation application. There is no compensation to the city for either the value of the property vacated or the special benefit to abutting property which occurs as a result of the vacation of the property.

As the council is aware, a vacation results in the title to the street or other public area vacated as attaching "to the lands bordering on such area in equal portions." (ORS 271.140)

This Ordinance provides a mechanism for the city to recover the value that accrues to the property owner and specifically the property owner's abutting property as a result of the vacation.

Mr. Leahy said the proposal is not a methodology where the city is charging the landowner for the value of the property vacated, but a fee or charge which is the increased value to the abutting property owner as a result of the vacation of right-of-way. This is a process that the City of Eugene uses, but has caused some disagreement in some cases. This could be a way for the city to receive a charge for the enhanced value of adjacent property when the city steps aside to vacate a public right-of-way, and the public right-of-way goes back to private property ownership. There is a process and a mechanism for establishing value.

Councilor Ralston asked if there was an estimate of what this could bring in to the city in terms of revenue and how often it happened.

Mr. Leahy said it would depend on the property. Residential property would not be much, but if it were a vacation of larger commercial property it would amount to more.

Councilor Ralston asked what would happen if the property owner determined they did not want the vacation and wouldn't pay for the vacation.

Mr. Leahy said the council could either decide to go ahead with the vacation if it was determined that it was for the public benefit, or they could choose not to vacate the property. The city does not have to charge the property owner.

Mr. Kelly said there is a mechanism that would allow the city to waive the charge if there is public benefit.

Councilor Pishioneri asked about a situation where the city receives land from a property owner.

Mr. Leahy clarified. He said the city could make a strong argument that there is no diminution in value of the property, in fact the property is enhanced by the development approval. Part of what is required in order to make that development application work is the dedication. The city has other rules respecting that, such as Dolan, stating that what the city requests has to be equivalent to and fair with respect to the demands placed on the system by the development. This is not the same situation.

Councilor Pishioneri asked about the Hammer property.

Mr. Leahy said there were a lot of other trade-offs in that situation. The Lithia proposal downtown was a better example. He explained.

Councilor Pishioneri asked if it would be case by case.

Mr. Kelly said it would be a uniform policy. If council chooses to adopt this procedure, it would be used for all vacation requests. Some of those requests would come to council with a request to waive the fee for public purpose. If this procedure is adopted and there is a benefit to the property owner through the vacation process, the city would substitute this process for our current process as far as fees.

Councilor Lundberg said the purpose of this proposal is for those that will get a great deal of benefit from the vacation, not the small amounts of property that residents request. It will be uniform, but some vacations benefit the recipient much more than others. She asked who would determine the enhanced value and with what process.

Mr. Leahy said the City Manager would carry out this process. There would be an analysis of the benefit to the abutting property and a recommendation. Most would be handled in house through an assessment. On the larger benefit situations, the City Manager would hire an appraiser to determine the value.

Councilor Lundberg asked if the council would review all of these vacation requests.

Mr. Leahy said they would, as they do now.

Councilor Lundberg says it is difficult, because she can see both sides.

Councilor Fitch said the fee is based only on the increased value and not the base value. If there was no increase, there would be no fee.

Mr. Leahy said Councilor Lundberg was correct. There could be an argument on both sides.

Mr. Kelly said those that feel it is unfair will be those who will be charged the larger fees. He gave an example of public property set aside for a road in a residential neighborhood that is then never built. That additional property could be vacated and there would not be much of an increase or benefit. He referred to the Lithia site which had a greater benefit from the vacation. Those assessing a larger fee would most likely be the ones that would be contested.

Mr. Leahy said there is also an opportunity within the ordinance that if council directs, the Finance Director could set up installment payments for the property owner.

Councilor Pishioneri asked if the property owner would receive a notice of regress.

Mr. Leahy said any vacation has to come before the council during a public hearing.

Mr. Kelly said at that time council could determine whether or not to reduce the fee, waive the fee or apply the fee. The owner would then decide whether or not to pay the fee or withdraw their application.

Councilor Fitch liked the option, but noted that if the original property was required to give the easement in the beginning, it would not be fair to charge them a fee.

Mr. Leahy said that was correct. He gave an example. There could be repercussions.

## 2. Street Light Standards.

Traffic Engineer Brian Barnett presented the staff report on this item. Current city standards require the use of Low Pressure Sodium (LPS) streetlights or decorative High Pressure Sodium (HPS) streetlights in certain locations. Developers of RiverBend, and MountainGate developments, and representatives from the Downtown Springfield Association submitted independent requests to use Metal Halide (MH) decorative and roadway style lighting systems in lieu of LPS and HPS. On April 19, 2004 council approved a deviation from the lighting standards to accommodate the requests mentioned above. At that time council also directed staff to develop comprehensive Street Light Standards for inclusion in the Engineering Design Standards and Procedures, and Construction Specifications. This request completes that direction.

The principle changes in the Engineering Design Standards and Procedures, and Construction Specifications are: 1. Use of MH lamps on Bus Rapid Transit (BRT) routes and in land use zones expected to have significant pedestrian presence and commercial functions; 2. Use of HPS lamps in residential and industrial zones; 3. Use of decorative fixtures in nodal development areas and off-street public access ways; and, 4. Adding aluminum and fiberglass pole materials to wood, concrete and steel poles presently allowed.

Transition to MH and HPS lighting will improve human visual performance. This is important for traffic safety and pedestrian security. MH and HPS lighting will also improve the appearance of landscaping and building facades. Discontinuing installation of new LPS lighting will

diversify the lighting system and reduce the risk of relying on a declining lighting technology. Use of MH and HPS lighting will decrease initial capital cost of construction and decrease maintenance costs and will not substantially increase energy cost to the city. Adding aluminum and fiberglass poles as options will increase price competition and reduce risk of commodity based cost increases.

Mr. Barnett provided a display of a sample decorative light. He referred to the map that was included in the agenda packet as Attachment A. He said the area that would be using MH lamps would constitute about 1800 acres of Springfield jurisdictional area of the nearly 12,750 acres in the Springfield UGB. There is a lot of lighting that is part of the non-MH area that is principally residential. He explained the changes to the street light standards as included in the draft resolution included in the agenda packet.

Councilor Fitch asked about the wear and tear of aluminum and fiberglass versus steel.

Mr. Barnett said any of the metallic materials will have a long life. Steel is generally galvanized and aluminum generally has an anodized coating on it or left to burnish itself. The city has had good success with fiberglass decorative poles. Wood poles are the most maintenance intensive. The city has undertaken an extensive testing program in recent years and found a number of poles that needed emergency replacement, which was completed. In two years, the city will go out again to test poles for needed replacement. Mr. Barnett said there were about 700 acres of nodes shown in the TransPlan. None of those nodes have been overlayed on to any particular ground at this point in time and are not shown on the attached map. He referred to Attachment B, page 16 of 20, Section 5.02.1.B (4). After consulting with planning staff, he determined that the following language needed to be added to this section (addition in bold): “. . . Nodal Overlay district, **mixed-use district**, and all off street . . .”, plus the additional sentence at the end of that section **“On wide streets, the city traffic engineer may require the use of cobra head style fixtures alone or in combination with decorative poles and fixtures in being beneficial to the public interest.”**

Council directed Mr. Barnett to include a definition of “wide streets”.

Councilor Ralston asked about the Martin Luther King Jr. (MLK) Parkway and the height of the lights on that roadway.

Mr. Barnett said they would be at thirty-five feet.

Councilor Ralston said he is concerned about the nearby neighbors and the lights being too high. It takes away from being able to see the night sky.

Mr. Barnett said the issue of sky glow is a significant concern. There is a group called the International Dark Sky Association that is an advocacy group which is trying to avoid sky glow. The Illuminating Engineering Society, which Mr. Barnett is a member of, is working with the Dark Sky Organization to try to minimize sky glow. Sky glow comes from two components. The first is direct light going up rather than down and the second is reflective light. Full cut-off fixtures for the cobra head style lights will be used on MLK Parkway in the narrow railroad track area. Because the city is using the Springfield Utility Board (SUB) power poles to hold the roadway fixtures and because of their line requirements, the city is also using decorative lighting at mid-points in between to meet the illuminating requirements. These are cut-off fixtures, meaning there is no light emitted above the horizontal plane. He said he can't do anything about

the reflective light, but can do something about the emitted light. The lights will be superior to the current LPS lights.

Councilor Pishioneri said it looks like most problems regarding confusion of street lights and traffic lights will be taken care of by the MH lights.

Mr. Barnett said that was correct. There are still a few places that are not covered with the new lights because of level of pedestrians and cost considerations.

Councilor Pishioneri said there is a lot of pedestrian traffic on 69<sup>th</sup> Street and Main Street and it is growing. There are also children from the area going to Thurston Middle School and needing to cross the street. He would like to see the lighting upgraded at this and every intersection for safety reasons.

Mr. Barnett said once these standards are established, no LPS lights would be used for replacement. Over time the city would be replacing the existing LPS lights with MH.

Councilor Pishioneri said the current yellow lights were dangerous and should be replaced. He again noted the intersection at 69<sup>th</sup> and Main and the need to replace the lighting at that location.

Mr. Barnett said they could include other streets in the MH area. Council has discretion and staff would be responsive to any indication by council on where they want these lights.

Mr. Kelly asked Mr. Barnett to speak on the cost, how much could be done each year as far as replacement and the height standards of low pressure versus high pressure lighting.

Mr. Barnett said the city has used lower mounting height with the LPS lights than they would have used for MH or HPS, although he does not feel the city needs to change any mounting heights. Most of what the city has is at thirty feet. There may be areas where thirty-five feet would be preferable, but the new standards specify thirty feet for most residential areas and thirty-five feet for arterial streets. He said the downtown lighting bids came in and they are about \$150 per fixture in the dense area of downtown. That cost could go up in areas that are less dense. About a third of the city's total number of fixtures are on Springfield Utility Board (SUB) poles so would have to use SUB to replace those lights. Their costs are similar. On the capital side, there is approximately \$50,000 for the first year and \$100,000 per year for the next four years for replacement. That funding would cover the cost of most of the replacement. He said lights in arterial street corridors would be replaced first, then collector streets, and then individual neighborhoods. He said it could be done fairly rapidly.

Councilor Fitch asked if the cost of operations would increase.

Mr. Barnett described the energy costs and maintenance costs. Some would increase, some would decrease and some would stay the same.

Discussion was held regarding the intersection at 69<sup>th</sup> Street and Main Street.

Councilor Fitch agreed that the replacements should go the entire length of the corridor out Main Street.

Mr. Barnett discussed the PeaceHealth decorative fixture request that had been withdrawn. This proposed resolution would put that back into the standard. He wanted to make sure council knew of the cost difference.

Councilor Fitch asked if the city would then have to pay the additional cost.

Mr. Barnett said as written, the resolution would change the standard to require the decorative fixtures, so we would pay for that cost. Current standards allow a developer to put in decorative lighting on any local street and the city pays the extra Operations and Maintenance expense. This resolution would broaden this so decorative lighting would be required.

Mr. Kelly used PeaceHealth as an example and said that if we put in this standard, the developer would have to pay for the installation of the new standard of lighting.

Mr. Barnett clarified that the city would be obligated to pay for the Operations and Maintenance.

### 3. Traffic Signal for Crossroads Center.

Traffic Engineer Brian Barnett presented the staff report on this item. Newgate has obtained city approval to construct 51,000 square feet of retail space for Best Buy in Crossroads Center. Newgate intends to apply for approval to add another 55,000 square-foot of retail space in the near future. Patron access to this site is a driveway onto the west side of Gateway Street, located 600 feet north of Postal Way, now the first signalized intersection on Gateway south of Beltline Road. Discussions between Newgate and the city acknowledge the following points: 1) It is very unusual for the city to approve traffic signals at private driveways; Gateway Mall is an exception and this would be another exception; 2) It is unusual for the city to allow installation of a traffic signal where warrants are not met but we acknowledge that the warrants are close to being satisfied and are expected to be fully satisfied when subsequent development occurs on the site; 3) If a traffic signal is installed at the Crossroads Center entrance, it is very likely that the city will conclude in the near future that it must be removed when the Beltline-Gateway "couplet" project is constructed; 4) If a traffic signal is installed at the Crossroads Center entrance, it shall be under city permit at 100% developer cost and, upon acceptance by the City Council, shall become city property and future disposition of the traffic signal shall be the sole decision of the city; 5) If a traffic signal is installed at the Crossroads Center entrance, it can only be done after the developer signs an agreement with the city acknowledging these and any other conditions the City Council may impose.

At city direction Newgate commissioned a traffic study to determine if installation of a traffic signal at Crossroads driveway would cause detrimental impacts in the vicinity. The study concludes that the signal is warranted when using volumes anticipated in 2007, and the signal can be installed with no adverse effect on the existing adjacent traffic signals.

The forgoing concepts, and any other provisions the council may desire, may be memorialized in the form of a council resolution or an agreement with Newgate.

Councilor Ralston said he approves of this request. It will be a great thing for the company to improve access. It is important, however, that the owner understands that if the light needs to be removed, it will be at their cost.

Councilor Fitch said Councilor Woodrow spoke on this issue during Agenda Review on Friday, February 25, and said that he would agree to the light as long as the company understands it is temporary and at their cost.

Councilor Lundberg said it would create a short distance between signals on that segment of the road, but it could help with access issues for that property. The rest of that area will be developed, so there will be even more traffic in the future.

Councilor Pishioneri asked if this would cause any concerns regarding traffic flow related to the PeaceHealth project.

Mr. Barnett said the city faces requests for traffic signals and have found that it can sometimes be detrimental to the overall traffic system. He said this is an exception, but there are other areas in Gateway that could warrant a traffic signal that do not currently have one.

Councilor Pishioneri asked if we had a way in the agreement to remove the traffic light if needed.

Mr. Barnett said the city does have the authority to control traffic in whatever the city deems proper.

Mr. Leahy said he has discussed this issue with Mr. Barnett and Public Works Director Dan Brown. He confirmed that Mr. Barnett was correct in stating that the city has control regarding traffic, traffic lights, accesses, etc. In this particular case, it will be made clear to the property owner that the traffic light is temporary, at the cost of the property owner and comes out when city says it must come out without legal damages or claims against the city.

Councilor Fitch asked what would occur if the property owners sold the property.

Mr. Leahy said they would include language to address that issue.

Mr. Brown said the last paragraph on the Agenda Item Summary (AIS) stated that staff would work with NewGate on an agreement and bring a Resolution back to council for consideration.

4. Review of Potential Candidates for City of Springfield Representatives on the Springfield Tomorrow Update Stakeholders Board.

Senior Management Analyst Bob Brew presented the staff report on this item. The City of Springfield has agreed to name five candidates to the Stakeholders Board for the Springfield Tomorrow Update, including three lay-representatives, one business representative and one councilor.

The four partner agencies of TEAM SPRINGFIELD (City of Springfield, Springfield Utility Board, Willamalane, and Springfield School District 19) have determined it is worthwhile to update the coordinated planning effort known as Springfield Tomorrow through the development of a Stakeholders Board. This Board would meet approximately five times to update Springfield Tomorrow 2005-2015. Each of the TEAM SPRINGFIELD agencies agreed to name five members to the Stakeholders Board, including one elected official, one business representative and three other community members. Except as noted, the candidates listed on the attached matrix have agreed to let their names stand for consideration.

Mr. Brew said following the joint TEAM Springfield Meeting on February 5, he contacted the other agency contacts and the city's Executive Team (ET). The ET brainstormed an initial list of potential candidates for this stakeholders group. The group would be made up of twenty members, with each TEAM Springfield agency appointing five representatives. He explained the make-up of the committee. He referred to Attachment A included in the agenda packet which was a matrix of potential candidates. Additional candidates could be added to the list or there could be limits on the names of candidates. He has not been able to contact all of those listed on the matrix. He asked council if they needed additional information on any of the candidates.

Mr. Kelly said staff would like to bring back the list of candidates for council consideration and appointment of the five Springfield representatives on March 7. The city would be in contact with the other TEAM Springfield agencies to be sure there was no duplication. He said the list before them was an initial list for the council to consider. It would be important to have a lot of diversity.

Mr. Brew said he had been in touch with three other people that were not yet on the list. He gave their names.

Councilor Ralston said it is important for this committee to be very diversified between business and private citizens, those that have not been involved in the past and those from different areas of the city.

Mr. Kelly said the ET suggested having the representatives from the following areas in our community: average citizens, faith community, developers, non-profit groups, ethnic minorities and other community members. He described how the results would not be representative of our community if we limited committee members to one sector of our community. He asked if the list before them had enough diversity.

Councilor Fitch said Councilor Woodrow had commented that he would prefer all members should be Springfield citizens.

Council consensus was that all members should be Springfield residents.

Mr. Brew said the matrix does note the geographic location of the potential candidates.

Councilor Pishioneri said we need to include someone from Glenwood as an exception.

Councilor Ralston noted there are some in Glenwood on the current list.

Councilor Lundberg asked if there was a master list including the potential candidates the other TEAM Springfield members were considering. She said there is a need for a Latino representative because of our growing Latino population.

Mr. Kelly asked Mr. Brew if there would be a master list by March 7.

Mr. Brew said the TEAM Springfield contacts are staying in touch with each other to try to maintain a balance. Some of the other agencies may have their representatives chosen prior to the March 7 council meeting.



Councilor Fitch said we want people that are not usually involved. She also suggested having people that would fit into several different categories, such as a minority member from a certain geographic area of town, with experience on another committee. She gave other examples.

Mr. Kelly said staff would make sure the list they bring to council on March 7 would be diverse and include Springfield and Glenwood citizens.

Councilor Fitch said there may not be a need to include a Glenwood resident if there was enough diversity in the other areas. If she were to serve as the council representative, she would be representing Glenwood as the councilor for that area.

Mr. Kelly said staff would bring the list along with a master list to council on Monday, March 7 so they could make a decision on the five appointments during that meeting. The committee could then begin work in late March.

#### ADJOURNMENT

The meeting was adjourned at 6:34 pm.

Minutes Recorder – Amy Sowa

---

Sidney W. Leiken  
Mayor

Attest:

---

Amy Sowa  
City Recorder